

PCT
8FORM PTO-1390
(REV 10-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

6627PA9025

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

09/830,779

INTERNATIONAL APPLICATION NO.
PCT/US 99/25692INTERNATIONAL FILING DATE
05/01/2001PRIORITY DATE CLAIMED
11/02/1998

TITLE OF INVENTION A METHOD FOR INHIBITION OF PHOSPHOLAMBAN ACTIVITY FOR THE TREATMENT

APPLICANT(S) FOR DO/EO/US THE REGENTS OF THE UNIVERSITY OF CALIFORNIA

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
 2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
 3. ☐ This is an express request to promptly begin national examination procedures (35 U.S.C. 371(f)).
 4. ☐ The US has been elected by the expiration of 19 months from the priority date (PCT Article 31).
 5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
 6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
 8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
 9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
 10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).
- Items 11 to 16 below concern document(s) or information included:
11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
 12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
 13. ☐ A FIRST preliminary amendment.
 14. ☐ A SECOND or SUBSEQUENT preliminary amendment.
 15. ☐ A substitute specification.
 16. ☒ Other items or information:

Response to Notification of Defective Response
Response to Notice of Missing Parts
Signed Oath and Declaration

RECEIVED	
ADMINISTRATIVE	
DEPOSIT RECEIVED	
02 4076	
FILE	DATE
COPIES	REMARKS

U.S. APPLICATION NO. (if known), see 37 CFR 1.53(a) 09/830,779	INTERNATIONAL APPLICATION NO. PCT/US 99/25692	ATTORNEYS DOCKET NUMBER 6627PA9025
---	--	---------------------------------------

17. ☐ The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :

Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO **\$1000.00**

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO **\$860.00**

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO **\$710.00**

International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) **\$690.00**

International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) **\$100.00**

ENTER APPROPRIATE BASIC FEE AMOUNT =

Surcharge of **\$130.00** for furnishing the oath or declaration later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total claims	- 20 =		X \$18.00	\$
Independent claims	- 3 =		X \$80.00	\$
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$270.00	\$
TOTAL OF ABOVE CALCULATIONS				\$ 0

☐ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.

SUBTOTAL =

Processing fee of **\$130.00** for furnishing the English translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(f)).

TOTAL NATIONAL FEE =

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). **\$40.00** per property +

TOTAL FEES ENCLOSED =

	Amount to be refunded:	\$
	charged:	\$

CALCULATIONS

PTO USE ONLY

a. ☒ A check in the amount of \$ 40.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. 02-4070 in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 02-4070. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Brown Martin Haller & McClain
 1660 UNION STREET
 SAN DIEGO, CA 92101

The PTO did not receive the following listed item(s) Assignment and
\$40

SIGNATURE: Colleen J. McKiernan
 NAME
48,570
 REGISTRATION NUMBER

IN THE UNITED STATES ELECTED OFFICE (EO/US)

International Application No.:

PCT/US99/25692

International Filing Date:

2 November 1999

Title:

A METHOD FOR INHIBITION OF
PHOSPHOLAMBAN ACTIVITY FOR THE
TREATMENT OF CARDIAC DISEASE AND HEART FAILURE

Applicant:

The Regents of the University of California

U.S. Serial No.:

09/830,779

**RESPONSE TO NOTIFICATIONS OF MISSING PARTS
AND DEFECTIVE RESPONSE**

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This Petition is in response to the Response to Notifications of Missing Parts and Defective Response under 37 CFR 1.53(d), which was mailed by the Office on June 6, 2001, and October 18, 2001.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents , Washington, D.C. 20231 on:

November 27, 2001

(Mailing Date)

Melissa J. Leffler

(Registered Representative)

Signature

November 27, 2001

(Date of Signature)

In support of this Notice, the following is submitted:

1. Transmittal Letter/Fee Transmittal;
2. Signed Oath and Declaration;
3. Notification of Defective Response;
4. Notification of Missing Parts;
5. Check in the amount of \$720.00 to cover late fees; and
6. Return postcard.

Respectfully submitted,

Dated: November 27, 2001

By: 

Colleen J. McKiernan
Agent for Applicant
Registration No. 48,570

BROWN MARTIN HALLER & McCLAIN LLP
1660 Union Street
San Diego, California 92101

Telephone: (619) 238-0999
Facsimile: (619) 238-0062

Docket No.: 6627-PA9025

PTO/PT Rec'd 30 NOV 2001

#5

PTO/SB/17 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL
for FY 2001**

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) 720**Complete if Known**

Application Number	09/830,779
Filing Date	November 2, 1999
First Named Inventor	CHIEN, KENNETH et al
Examiner Name	UNKNOWN
Group Art Unit	UNKNOWN
Attorney Docket No.	6627PA9025

METHOD OF PAYMENT

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 02-4070

Deposit Account Name Brown, Martin, Haller & McClain

- ☒
- Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

- 2.
- ☒
- Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 740	201 370	Utility filing fee	
106 330	206 165	Design filing fee	
107 510	207 255	Plant filing fee	
108 740	208 370	Reissue filing fee	
114 160	214 80	Provisional filing fee	

SUBTOTAL (1) (\$) 0**2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent	-20** =	X	= 0
Claims	-3** =	X	= 0
Multiple Dependent			= 0

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 84	202 42	Independent claims in excess of 3
104 280	204 140	Multiple dependent claim, if not paid
109 84	209 42	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

12/07/2001 HNGUYEN 00000100 09830739 (\$) 0

SUBTOTAL (2)

*or number previously paid, if greater than this, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for <i>ex parte</i> reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 400	216 200	Extension for reply within second month	
117 920	217 460	Extension for reply within third month	
118 1,440	218 720	Extension for reply within fourth month	720
128 1,960	228 980	Extension for reply within fifth month	
119 320	219 160	Notice of Appeal	
120 320	220 160	Filing a brief in support of an appeal	
121 280	221 140	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,280	241 640	Petition to revive - unintentional	
142 1,280	242 640	Utility issue fee (or reissue)	
143 460	243 230	Design issue fee	
144 620	244 310	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))	
179 740	279 370	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 720**SUBMITTED BY**

Name (Print/Type) Colleen J. McKiernan

Registration No. (Attorney/Agent)

48,570

Complete (if applicable)

Telephone

238-0999

Signature

Date

11/27/01

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.